

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

TODD ZUROVETZ, #1931368	§	
VS.	§	CIVIL ACTION NO. 6:19cv481
CHRISTOPHER ARGENBRIGHT, ET. AL.	§	

**ORDER ADOPTING REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

Plaintiff Todd Zurovetz, an inmate confined within the Texas Department of Criminal Justice proceeding *pro se*, filed this civil rights lawsuit pursuant to 42 U.S.C. § 1983 alleging violations of his constitutional rights. The complaint was referred to United States Magistrate Judge K. Nicole Mitchell for findings of fact, conclusions of law, and recommendations for the disposition of the case.

On February 8, 2021, Judge Mitchell issued a Report (Docket No. 36) recommending that Plaintiff's motion for a preliminary injunction (Docket No. 26) be denied. A copy of this Report was sent to Plaintiff at his address, with an acknowledgment card. To date, however, objections to the Report have not been filed.

The Court reviews the findings and conclusions of the Magistrate Judge *de novo* only if a party objects within fourteen days of the Report and Recommendation. 28 U.S.C. § 636(b)(1). In conducting a *de novo* review, the Court examines the entire record and makes an independent assessment under the law. *Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc), *superseded on other grounds by statute*, 28 U.S.C. § 636(b)(1) (extending the time to file objections from ten days to fourteen days).


Here, Plaintiff has not filed objections. The Court therefore reviews the Magistrate Judge's findings for clear error or abuse of discretion and reviews her legal conclusions to determine

whether they are contrary to law. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989), *cert. denied*, 492 U.S. 918 (1989) (holding that, if no objections to a Magistrate Judge's Report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law.>").

Having reviewed the Magistrate Judge's Report and the record in this case, the Court finds no clear error or abuse of discretion and no conclusions contrary to law. Accordingly, the Court hereby **ADOPTS** the Report and Recommendation of the United States Magistrate Judge (Docket No. 36) as the findings of this Court. Therefore, it is

ORDERED that Plaintiff's motion for a preliminary injunction (Docket No. 26) is hereby **DENIED**.

So **ORDERED** and **SIGNED** this **14th** day of **March, 2021**.


JEREMY D. KERNODLE
UNITED STATES DISTRICT JUDGE